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PATENT
Attorney Docket No. 202143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. Arkes

Application No. 09/414,951

Filed: 10/8/1999

For: An Incentive Points Redemption
Program Carried Out Via
an On-Line Auction

Art Unit: 2164

Examiner: Charles R. Kyle

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**DECLARATION OF ANDREW PERLMUTTER IN SUPPORT OF APPLICANT'S
PRIOR DECLARATION UNDER 37 CFR §1.131 and §1.132**

Official

I, the undersigned, hereby declare the following:

1. My legal name is Andrew Lee Perlmutter.
2. I am currently Treasurer and Vice President of InMarketing Group, Inc., 65 Ramapo Valley Rd., Ste. 9, Mahwah, New Jersey 07430. My position was substantially the same during 1999 while working with Hinda Incentives to develop the Auction site that is the subject of Applicant's prior Declaration under 37 CFR §1.131 and §1.132.
3. A copy of Applicant's prior Declaration under 37 CFR §1.131 and §1.132 has been provided to me, and I have reviewed and understand its contents.
4. I declare that, I have personal knowledge of the actual reduction to practice before July 14, 1999, by Hinda Incentives, of the invention addressed in the "Declaration Under 37 CFR §1.131. and §1.132".
5. In the course of my responsibilities associated with running an incentive program for the Sharp Electronics independent dealer network, I worked closely with Brad Parkinson and other developers of the Sharp Electronics auction site, and I personally

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observed the operation of the Sharp Electronics auction site on multiple occasions prior to July 1999.

6. As a result of my exposure to, use of, and participation in the development of the Sharp Electronics auction site prior to July 14, 1999, I can state that each and every part of the claimed invention, addressed in Applicant's prior Declaration under 37 CFR §1.131 and §1.132, was indeed present in versions of the Sharp Electronics auction site that I observed prior to July 14, 1999.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March 11, 2003


Andrew Perlmutter

Official

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